

## Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 L-03 SSO-00 NSCE-00 SS-15  
NSC-05 INRE-00 CAB-02 CIAE-00 COME-00 DODE-00  
DOTE-00 INR-07 NSAE-00 EPG-02 FAA-00 H-01 TRSE-00  
/055 W

-----311140Z 003285 /43

O 311014Z MAY 77  
FM AMEMBASSY LONDON  
TO SECSTATE WASHDC IMMEDIATE 4517

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PASS L/EB (MICKEY), EB/OA (KEITER), DOT (DAVENPORT,  
KAMM, LARSEN), CAB (RODRIGUEZ)

E. O. 11652:NA  
TAGS: EAIR, UK  
SUBJECT: US-UK CIVAIR NEGOTIATIONS: USER CHARGES

REF: A) LONDON 8938; B) LONDON 8951; C) LONDON 8957

1. USER CHARGES WORKING GROUP HAS MET TWICE WITH UK. IN  
FIRST MEETING, US TABLED DRAFT USER CHARGE ARTICLE  
RESPONSIVE TO UK ARTICLE TRANSMITTED TO US IN EARLY MAY.  
US DRAFT PREPARED BY USDEL IN LONDON AFTER CONSULTATION  
WITH EXPERTS FROM PAN AM, TWA, SWA, FTL, NW, DELTA, BN,  
WESTERN, ATA, AND NACA. AT FIRST MEETING US-UK  
DISCUSSED BOTH DRAFT ARTICLES IN DETAIL.

2. UK MADE THE FOLLOWING GENERAL POINTS:

A) AIRPORT CHARGES SHOULD GENERALLY BE A MATTER FOR  
COMMERCIAL NEGOTIATIONS BETWEEN AIRPORTS AND CARRIERS.  
GOVERNMENTS SHOULD NOT ORDINARILY BE INVOLVED;

B) NEITHER US NOR UK SHOULD AGREE TO USER CHARGE  
ARTICLE ON WHICH IT CANNOT DELIVER. EXCEPT FOR DULLES,

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NEITHER US NOR UK GOVERNMENTS OPERATE AIRPORTS. US DOES  
NOT HAVE FEDERAL AUTHORITY TO CONTROL AIRPORT ACTIONS  
OR CHARGES (EXCEPT FOR CHICAGO CONVENTION). UK IS WELL  
AWARE OF US LACK OF CONTROL OVER AIRPORTS (FOR EXAMPLE,  
CONCORDE). UK ITSELF ONLY HAS LIMITED CONTROL OVER BAA.  
BAA ALSO HAS GUIDANCE WITH WHICH IT MUST COMPLY AS  
MATTER OF UK LAW.

3. US STATED (L) IMPORTANCE IT ATTACHED TO SOUND USER CHARGES ARTICLE AS MEANS OF AVOIDING, RESOLVING DISPUTES AND (2) THAT IT BELIEVED GOOD PROTOTYPE ARTICLE WOULD HELP US,UK IN DEALING WITH THIRD COUNTRIES IMPOSING UNREASONABLE CHARGES. UK AGREED THESE WERE DESIRABLE OBJECTIVES.

4. UK STATED IT AGREED WITH US COMMENTS; DISCUSSION ENSUED ON SPECIFICS OF US DRAFT. UK BELIEVES US DRAFT WAS TOO SPECIFIC ON CERTAIN ISSUES; WOULD RESULT IN TOO MUCH GOVERNMENT INVOLVEMENT.

5. MAY 27 WORKING GROUP MEETING ADDRESSED REVISED UK DRAFT (REFTEL B). UK DRAFT APPEARS TO MOVE TOWARD US BUT IS DEFICIENT IN NOT PROVIDING FOR CONSULTATIONS TO RESOLVE DIFFERENCES IF CARRIER AND AIRPORT OPERATORS CANNOT AGREE. UK DRAFT IS NOT AS SPECIFIC ON TYPE OF INFORMATION TO BE PROVIDED IN EVENT OF DISPUTE AS US DRAFT AND DOES NOT INCLUDE CROSS SUBSIDY PROVISION. AIRPORT-AIRLINE CONSULTATION PROCEDURE NEEDS TO BE STRENGTHENED.

6. UK HAS MORE GENERAL DEFINITION OF FULL ECONOMIC COST THAN US DRAFT. IN DISCUSSION BOTH US, UK ACKNOWLEDGED DIFFICULTY OF WRITING SOUND STANDARD PARTICULARLY IN VIEW OF EVOLVING ECONOMIC AND ACCOUNTING PRINCIPLES.

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7. UPON QUESTIONING UK DID NOT EXPRESS DISAGREEMENT WITH ICAO CHARGING PRINCIPLES, BUT WAS RELUCTANT TO INCORPORATE SUCH DETAILED STANDARDS INTO BILATERAL AGREEMENT.

8. USDEL IS PREPARING FURTHER REVISION, BASED ON UK DRAFT, TO BE TABLED JUNE 1. REQUEST COMMENTS BY COB MAY 31 ON REVISED US DRAFT (REFTEL C).

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Document Source:** CORE  
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**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
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**Litigation History:**  
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**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
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**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 77 LONDON 8938, 77 LONDON 8951, 77 LONDON 8957  
**Retention:** 0  
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**Review Withdrawn Fields:** n/a  
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**TAGS:** EAIR, UK, US  
**To:** STATE  
**Type:** TE  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
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